

### **Remarks**

This is a Response to the Official Action dated November 30, 2004.

Claims 1-7 are currently pending in the Application and Claim 8 is newly presented herein.

### **Specification**

The response amends paragraph at page 4, lines 12-20 of the specification, paragraph at page 5, lines 3-21 of the specification and paragraph at page 5, lines 22-29 of the specification. Support for the paragraph can be found in the originally submitted Figures 2A and 3B.

### **Claims 1-7**

This response amends Claims 1-2 and 6-7 to clarify the scope of the claims.

### **New Claim**

This response adds new Claim 8. The new claim is used to broaden the scope of the invention and are **not** offered in response to the Examiner's rejections. Support for the new Claim 8 can be found in the original Claim 7 and Figure 3B of the application.

### **Drawings**

This response amends Fig. 2A, where the reference number "12" has been amended to reference number "12/22." The enclosed replacement sheet is intended to replace Fig. 2A currently before the Examiner.

### **35 U.S.C. §112, second paragraph, rejection**

Claims 2 and 6 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. According to the Examiner Claim 2 is inconsistent with the Figures 3A-B which show the sliding adjustment 22 being disposed

outside of the display area and not between the common electrode 7 and the ground terminal 9. Applicants respectfully note that Claim 2 has been amended to recite that “sliding adjustment is electrically disposed between the common electrode and the ground terminal” (emphasis added).

The Examiner further asserts that Claim 2 refers to “the resistance between the common electrode and the ground terminal” which lacks the antecedent basis. Claim 6 has been amended to overcome this objection. The phrase “the resistance between the common electrode and the ground terminal” has been replaced with the phrase “a resistance between the common electrode and a ground terminal.”

The Examiner also asserts that Claim 6 refers to “the ground point” wherein the term “the ground point” lacks the antecedent basis. Claim 2 has been amended to overcome this objection. The term “the ground point” has been replaced with the term “the ground terminal.”

### **35 U.S.C. §102(b) Rejection**

Claim 7 stands rejected under 35 U.S.C. §102(b) as being anticipated by JP 9-34381. Applicants respectfully disagree.

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Applicants submit that the Examiner has not shown that JP 9-34381 teaches each and every element as set forth in the rejected claims. In particular:

Applicant submits that that JP 9-34381 does not disclose, suggest or teach, *inter alia*, at least the following features recited by Claim 7, as amended, of the present application:

“a sliding adjustment disposed on the main body and having a guiding groove and a sliding piece therein, the sliding piece being horizontally shifted in the guiding groove along a path on a surface of the LCD panel to change a resistance acting on the main body” (emphasis added)

Hence, Claim 7 is patentable over JP 9-34381 and should be allowed by the Examiner.

### **35 U.S.C. §103(a) Rejection**

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Suh (U.S. Patent Publication No. 2003/0117565) and further in view of JP 9-34381.

Applicant submits that the Examiner has **not** established a *prima facie* case of obviousness for the claims rejected under 35 U.S.C. §103(a). Applicant notes:

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure" (emphases added) *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant submits that a *prima facie* case of obviousness has not been established for the reasons set forth below.

**Applicant submits that Suh and JP 9-34381 do not teach each and every element as claimed in the present application.**

Applicant submits that Suh and JP 9-34381 do not disclose, suggest or teach, *inter alia*, at least the following features recited by Claim 1, as amended, of the present application:

“a sliding adjustment disposed on the main body connected to the common electrode and having a guiding groove and a sliding piece therein, the sliding piece being horizontally shifted in the guiding groove along a path on a surface of the LCD panel to change the common voltage of the common electrode” (emphasis added)

Applicants submit that JP 9-34381 does not disclose “the sliding piece being horizontally shifted in the guiding groove along a path on a surface of the LCD panel to change the common voltage of the common electrode” as recited in Claim 1 and is believed to be patentable over Suh and JP 9-34381, because the Examiner has not shown to the Applicants where Suh discloses, teaches or suggests the features not found in JP 9-34381.

Claims 2-6, at least based on their dependency on Claim 1, are also believed to be patentable over Suh and JP 9-34381.

#### **Patentability of new Claim 8**

New Claim 8 recites “a main body; and at least two sliding adjustments disposed on the main body and each having a guiding groove and a sliding piece therein, each of the sliding pieces being horizontally shifted in the corresponding guiding groove along a path on a surface of the LCD panel to change a resistance acting on the main body.”

Applicants submit that at least some of these features are not disclosed by the prior art cited by the Examiner. Support for the new Claim 8 can at least be found in original Claim 7 and Figure 3B of the application. Hence, Claim 8 is patentable and should be allowed by the Examiner.

**Conclusion**

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on

February 24, 2005

(Date of Deposit)

Corinda Humphrey


(Name of Person Signing)

(Signature)

February 24, 2005

(Date)

Respectfully submitted,



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Enclosures: Replacement Sheet for  
Fig. 2A

**Amendments to the Drawings**

The attached replacement sheet of a drawing includes changes to Fig. 2A, where the reference number “12” has been amended to reference number “12/22.” The replacement sheet is intended to replace Fig. 2A currently before the Examiner.

Attachment: Replacement Sheet